

United States Bankruptcy Court
Western District of New York

In re:
The Diocese of Buffalo, N.Y.
Debtor

Case No. 20-10322-CLB
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0209-1
Date Rcvd: Dec 19, 2022

User: admin
Form ID: pdforder

Page 1 of 26
Total Noticed: 7

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 21, 2022:

Recip ID	Recipient Name and Address
db	+ The Diocese of Buffalo, N.Y., 795 Main Street, Buffalo, NY 14203-1215
aty	+ Gleichenhaus, Marchese & Weishaar, PC, 43 Court Street, Suite 930, Buffalo, NY 14202-3100
aty	+ Pachulski Stang Ziehl & Jones LLP, 780 Third Avenue, 34th Floor, New York, NY 10017-2024
pr	+ Charles Mendolera, c/o The Diocese of Buffalo, N.Y., 795 Main Street, Buffalo, NY 14203-1215
sp	+ Chelus, Herdzik, Speyer & Monte, P.C., 438 Main Street, Tenth Floor, Buffalo, NY 14202-3210
ntcapr	+ Official Committee of Unsecured Creditors, c/o Pachulski Stang Ziehl & Jones LLP, Attn: J. Stang, I. Scharf, S. Golden, 780 Third Avenue, 34th Floor, New York, NY 10017-2024

TOTAL: 6

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	+ Email/Text: ustregion02.bu.ecf@usdoj.gov	Dec 19 2022 18:21:00	Office of the U.S. Trustee, 300 Pearl Street, Suite 401, Olympic Towers, Buffalo, NY 14202-2523

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 21, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 19, 2022 at the address(es) listed below:

Name	Email Address
Adam Ross Durst	on behalf of Defendant Nationwide Insurance Company of America adurst@goldbergsegalla.com

Adam Ross Durst	on behalf of Cross Defendant Wausau Underwriters Insurance Company adurst@goldbergsegalla.com
Adam Ross Durst	on behalf of Defendant Employers Insurance Company of Wausau (formally known as Employers Insurance of Wausau A Mutual Company formerly known as Employers Mutual Liability Insurance Company of Wisconsin) adurst@goldbergsegalla.com
Adam Ross Durst	on behalf of Defendant Wausau Underwriters Insurance Company adurst@goldbergsegalla.com
Adam Ross Durst	on behalf of Cross Defendant Employers Insurance Company of Wausau (formally known as Employers Insurance of Wausau A Mutual Company formerly known as Employers Mutual Liability Insurance Company of Wisconsin) adurst@goldbergsegalla.com
Amy Keller	on behalf of Defendant JMH 100 Doe et al akeller@lglaw.com, sfischer@lglaw.com
Amy Keller	on behalf of Interested Party Don E. Whelan akeller@lglaw.com sfischer@lglaw.com
Amy Keller	on behalf of Interested Party LG 65 Doe akeller@lglaw.com sfischer@lglaw.com
Amy Keller	on behalf of Attorney Lipsitz Green Scime Cambria LLP akeller@lglaw.com sfischer@lglaw.com
Amy Keller	on behalf of Interested Party Wyatt Schoenle akeller@lglaw.com sfischer@lglaw.com
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Andrew Janet	on behalf of Interested Party Diana L. O'Hara asjanet@jjsjustice.com
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Brett S. Theisen	on behalf of Interested Party Selective Insurance Company of New York btheisen@gibbonslaw.com
Brett S. Theisen	on behalf of Defendant Selective Insurance Company of America (formerly known as Exchange Mutual Insurance Company) btheisen@gibbonslaw.com
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Bruce Alan Anderson	on behalf of Notice of Appearance Creditor Parish Steering Committee baaifiling@eaidaho.com
Bruce Alan Anderson	on behalf of Interested Party Parish Steering Committee baaifiling@eaidaho.com
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Lorraine Armenti

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Timothy Patrick Lyster	on behalf of Plaintiff Trustees of St. Patrick Church Town of Java n/k/a St. John Neumann Roman Catholic Church of Wyoming County tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com
Timothy Patrick Lyster	on behalf of Plaintiff St. John the Baptists Roman Catholic Church Society of N. Collins NY tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com
Timothy Patrick Lyster	on behalf of Plaintiff St. Johns Roman Catholic Church Society of Olean N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com
Timothy Patrick Lyster	on behalf of Plaintiff St. Monicas Roman Catholic Church Society tlyster@woodsoviatt.com mjohnstone@woodsoviatt.com
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Timothy Patrick Lyster	

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Timothy Patrick Lyster	on behalf of Plaintiff Our Lady Help of Christians Roman Catholic Church of Cheektowaga New York tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com
Timothy Patrick Lyster	on behalf of Plaintiff St. Augustines Roman Catholic Church Society of Depew N.Y. n/k/a Blessed Mother Teresa of Calcutta Roman Catholic Parish of Depew, New York tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com
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Timothy Patrick Lyster	on behalf of Plaintiff Sacred Heart of Jesus Roman Catholic Church Society of N. Collins NY tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com
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William Henry Gordon

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on behalf of Creditor Carolyn Anderson wgordon@garabedianlaw.com

William Henry Gordon

on behalf of Creditor Richard Brownell wgordon@garabedianlaw.com

TOTAL: 561

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

In re:

THE DIOCESE OF BUFFALO, N.Y.,

Debtor.

)
) Chapter 11 Case

)
) Case No. 20-10322

**ORDER GRANTING FIFTH APPLICATION FOR INTERIM COMPENSATION
AND REIMBURSEMENT OF EXPENSES OF CHELUS, HERDZIK, SPEYER &
MONTE PC AS SPECIAL COUNSEL TO THE DIOCESE**

Upon consideration of the *Fifth Application for Interim Compensation and Reimbursement of Expenses of Chelus, Herdzik, Speyer & Monte, P.C., as Special Counsel for the Diocese* [Docket No. 2005] (the “Chelus Fifth Interim Fee Application”),¹ and the Court being fully advised in the premises and a hearing having been held before the Court on December 12, 2022 to consider the Chelus Fifth Interim Fee Application (the “Hearing”):

IT IS HEREBY FOUND AND DETERMINED THAT:

- A. The Court has jurisdiction to consider the Chelus Fifth Interim Fee Application and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334.
- B. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
- C. Venue is proper pursuant to 28 U.S.C. § 1409.
- D. Proper and adequate notice of the Chelus Fifth Interim Fee Application and the Hearing was given and no other or further notice is required.
- E. The services provided by Chelus, Herdzik, Speyer & Monte PC (“Chelus”) during the period from February 1, 2022 through July 31, 2022 (the “Fifth Interim Compensation”

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Chelus Fifth Interim Fee Application.

Period”), as set forth in the Chelus Fifth Interim Fee Application, were reasonable, necessary and beneficial to the chapter 11 estate of The Diocese of Buffalo, N.Y. (the “Diocese”).

F. The compensation requested in the Chelus Fifth Interim Fee Application is fair and reasonable given: (a) the complexity of tasks assigned; (b) the time expended; (c) the nature and extent of the services rendered; (d) the value of the services rendered; and (e) the costs of comparable services.

G. The expense reimbursement sought in the Chelus Fifth Interim Fee Application represents actual and necessary expenses incurred in connection with this chapter 11 case.

H. The legal and factual bases set forth in the Chelus Fifth Interim Fee Application and at the Hearing establish just cause for the relief granted herein.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Chelus Fifth Interim Fee Application is granted as set forth herein.
2. Any objections to the Chelus Fifth Interim Fee Application, or to the compensation and expense reimbursement sought therein, that have not been made, withdrawn, waived, or settled on the record at the Hearing, and all reservations of rights included therein, are hereby overruled and disallowed on the merits.
3. Chelus’ fees for professional services rendered during the Fifth Interim Compensation Period are allowed on an interim basis in the amount of \$25,739.00.
4. Reimbursement of Chelus’ expenses incurred during the Fifth Interim Compensation Period is allowed on an interim basis in the amount of \$1,989.17.
5. The Diocese is authorized and directed to promptly pay to Chelus the fees and expenses allowed herein less any amounts previously paid to Chelus pursuant to the *Order*

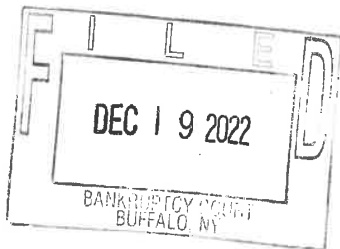
Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and Members of Official Committees [Docket No. 362].

6. All fees and expenses allowed herein shall remain subject to final approval by the Court upon further application pursuant to 11 U.S.C. § 330(a)(5).

7. Notwithstanding the possible applicability of Bankruptcy Rules 6004(h), 7062, 9014 or otherwise, this Order shall be effective and enforceable immediately upon its entry. Any subsequent modification or vacatur of this Order shall not invalidate or impair any actions taken pursuant to this Order prior to such modification or vacatur.

8. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation and enforcement of this Order.

Dated: December 19, 2022
Buffalo, New York



Honorable Carl L. Bucki
Chief United States Bankruptcy Judge